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UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Case No. 15-CV-00280-PB

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JONATHAN LEITE,

Plaintiff,

v.

MATTHEW GOULET, et al.,

Defendants.

- - - - - x

DEPOSITION OF EDDY L'HEUREUX

August 30, 2017

1:50 p.m. to 1:57 p.m.

NORTHERN NH CORRECTIONAL FACILITY

138 East Milan Road

Berlin, New Hampshire

Reporter: Celeste A. Quimby, LCR No. 17

Page 2		Page 4	
1	I N D E X	1	(L'Heureux Exhibit 1 marked
2		2	for identification.)
3	WITNESS: Eddy L'Heureux	3	EDDY L'HEUREUX
4		4	having been duly sworn by the reporter,
5	EXAMINATION:	5	was deposed and testified as follows:
6	By Mr. King	6	EXAMINATION
7		7	BY MR. KING:
8		8	Q. Sir, on August 24th, 2012, you were
9	EXHIBITS FOR IDENTIFICATION:	9	working as a corrections officer here at the
10	L'Heureux Description	10	Northern New Hampshire Corrections Facility,
11	Exhibit 1 Eddy L'Heureux Answers to	11	correct?
12	Interrogatories	12	A. Correct, sir.
13	Exhibit 2 8/24/12 Safety and Sanitation	13	Q. And you have answered interrogatories in
14	Inspection Report	14	this matter, correct?
15		15	A. Correct, sir.
16		16	Q. And I've given you a copy of your
17		17	interrogatory answers that we've marked as Exhibit
18		18	1. Could you just look through that and tell me
19		19	if that's a true and accurate copy of your
20	(Exhibits scanned/e-mailed to counsel; originals	20	interrogatory answers?
21	returned to Mr. King.)	21	A. (Peruses document.) This is correct,
22		22	sir.
23		23	Q. Okay. So one of your job
Page 3		Page 5	
1	A P P E A R A N C E S	1	responsibilities on August 24th, 2012, was to do
2	For the Plaintiff:	2	rounds in F block, right?
3	DOUGLAS, LEONARD & GARVEY, P.C.	3	A. Correct. That was one of the rounds, one
4	By: Benjamin T. King, Esq.	4	of the units I had to watch, yes, that day.
5	14 South Street, Suite 5	5	Q. And when you do rounds, what do you do?
6	Concord, NH 03301	6	A. We actually walk around the unit and go
7	(603) 224-1988	7	from cell to cell. We're looking in the cells,
8	benjamin@nhlawoffice.com	8	number one, to see if they're safe, if those that
9	mdouglass@nhlawoffice.com	9	are in there are safe and upright, if they're
10	For the Defendant:	10	breathing, if they're not injured. And we
11	NEW HAMPSHIRE DEPARTMENT OF JUSTICE	11	usually -- we have to be two officers. So we
12	OFFICE OF THE ATTORNEY GENERAL	12	would be one on the upper deck, one on the lower
13	By: Lynmarie C. Cusack, Esq.	13	deck, and we're both doing the same. If there's
14	Francis K. Fredericks Jr., Esq.	14	anybody living in the dayroom, we're also making
15	33 Capitol Street	15	sure that they're safe and secure.
16	Concord, NH 03301	16	Q. Okay. How do you make sure that someone
17	(603) 271-3658	17	that's living in the dayroom is safe and secure?
18	lynmarie.cusack@doj.nh.gov	18	A. You're looking at them for any -- any
19	francis.fredericksjr@doj.nh.gov	19	signs of injury or if they're breathing, they're
20		20	upright, they're talking. We speak with them.
21		21	Q. All right. What if you do a round and
22		22	someone is not upright, the person is lying down
23		23	or what -- what do you do, if anything?

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1 A. I would just go over and look at them
2 physically and see if they're breathing. If
3 they're breathing and they don't look like they
4 have any marks, they're usually all right.
5 They're usually sleeping.
6 Q. Okay. But if you look into a cell during
7 the daytime and you see someone not upright, lying
8 down in a bed, you check on them?
9 A. I always check on them, see if they're
10 all right. Yes, I'll look in.
11 Q. All right. Okay. You worked first shift
12 on August 24th, 2012, right?
13 A. As per recollection, yes, as per what
14 I've read on our shift log.
15 Q. Yeah. First shift runs from what time to
16 with a time?
17 A. 0700 to 1500, sir.
18 (L'Heureux Exhibit 2 marked
19 for identification.)
20 Q. What we've marked as Exhibit 2 in your
21 deposition is a rounds log --
22 A. Um-hum.
23 Q. -- for August 24th, 2012?

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1 A. Correct.
2 Q. Okay. Does this document reflect that
3 you did a round on F block at -- or you did rounds
4 at 2:15 p.m. for the last time on August 24th,
5 2012?
6 A. As it's written here, sir, that's what it
7 would be reflecting. And it wouldn't have been
8 just F block. It would have been Echo, Fox, Golf
9 and Hotel. We have to do rounds on all four. So
10 the round may have been started a little sooner.
11 Q. Yeah.
12 A. And it would have been recorded when we
13 came out.
14 Q. I see. And that was your last round of
15 the day, right?
16 A. That was our last round of the day. I
17 wasn't working alone. I mean we need to be two
18 officers minimum.
19 Q. Understood. And you were working with
20 Officer Snyder; is that right?
21 A. Correct.
22 Q. And so the round that ended at 2:15 p.m.
23 was also her last round of the day; is that right?

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1 A. That would be correct, because she was
2 working with me.
3 Q. Yeah.
4 MR. KING: Thank you, sir. I don't have
5 anything further.
6 MR. FREDERICKS: All set.
7 (Deposition concluded at 1:57 p.m.)
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1 CERTIFICATE OF WITNESS
2
3 I, Eddy L'Heureux, have read the foregoing
4 transcript of deposition taken on Wednesday,
5 August 30, 2017, at the Northern NH Correctional
6 Facility, Berlin, New Hampshire, and do hereby
7 swear/affirm it is an accurate and complete record
8 of my testimony given under oath in the matter of
9 Leite v. Goulet, et al., including any and all
10 corrections that may appear on those pages denoted
11 as "Corrections."
12
13
14 Eddy L'Heureux
15 STATE OF _____
16 COUNTY OF _____
17
18 Subscribed and sworn to before me this _____ day
19 of _____, 2017.
20
21
22 Notary Public _____ J.P. _____
23 My Commission Expires: _____

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1 CORRECTION AND SIGNATURE PAGE
2 DEPOSITION: Eddy L'Heureux
3 DATE OF DEPOSITION: August 30, 2017
4 PAGE LINE NOW READS SHOULD READ
5 _____
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20 Dated this _____ day of _____, 2017.
21
22 _____
23 Eddy L'Heureux

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1 C E R T I F I C A T E
2 I, Celeste A. Quimby, a Licensed Court
3 Reporter of the State of New Hampshire, do hereby
4 certify that the foregoing is a true and accurate
5 transcript of my stenographic notes of the
6 deposition of Eddy L'Heureux, who was first duly
7 sworn, taken at the place and on the date
8 hereinbefore set forth.
9 I further certify that I am neither attorney
10 nor counsel for, nor related to or employed by any
11 of the parties to the action in which this
12 deposition was taken, and further that I am not a
13 relative or employee of any attorney or counsel
14 employed in this case, nor am I financially
15 interested in this action.
16 THE FOREGOING CERTIFICATION OF THIS TRANSCRIPT
17 DOES NOT APPLY TO ANY REPRODUCTION OF THE SAME BY
18 ANY MEANS UNLESS UNDER THE DIRECT CONTROL AND/OR
19 DIRECTION OF THE CERTIFYING REPORTER.
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23 CELESTE A. QUIMBY, LCR No. 17